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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/723,375

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EXAMINER

KIM, KEVIN Y

ART UNIT

PAPER NUMBER

3714

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/723,375	Applicant(s) ATKINSON ET AL.	
	Examiner KEVIN Y. KIM	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/28/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 7/28/2008 has been entered. Claims 1 and 5 have been amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brosnan et al (US 6,682,423 B2) in view of Garahi et al (US 2001/0041612 A1).

4. In re claim 1, Brosnan discloses a gaming network comprising:

a plurality of gaming machines (figure 1A);

one or more information servers coupled to the gaming machines, the one or more information servers structured to store data related to the plurality of gaming machines and related to players of the gaming machines, and to generate data for use on the gaming network (figure 1A, 71-74, column 6, lines 15-46);

a plurality of secure wireless devices structured to couple to the one or more information servers (figure 1A, 52d-g, column 10, lines 2-47);

a secure wireless receiver, other than the one or more information servers, structured to couple to at least one of the secure wireless devices (figure 1A, 52a-c, column 10, lines 2-47). While it is not explicitly disclosed that the connection of Brosnan

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is a secure data channel, it is well known in the art that wireless connections implemented by computer systems and machines must be secure, especially when communicating sensitive data such as the information being transferred in a casino. Such secure channels may be implemented in several ways:

- a password to access the wireless servers;

- MAC ID filtering;

- WEP and WPA encryption;

- WPA2 encryption;

- et al.

As the system of Brosnan implements a communication interface capable of wireless communication (for example, a wireless router/receiver such as one manufactured by Linksys implementing the 802.11g protocol), one skilled in the art would have the knowledge to secure the wireless data with one of the above methods, and thus, would have been obvious to one skilled in the art at the time the invention was made, as it is a well known improvement in the art that yields a predictable result. Furthermore, a person of ordinary skill has good reason to pursue the known options within his or her technical grasp. If this leads to anticipated success, it is likely the product not of innovation but of ordinary skill and common sense. In this case, the anticipated success is that of a secure wireless channel.

However, Brosnan is silent on the secure wireless devices being wireless servers structured to couple to the one or more information servers and being located in an area in which gaming machines are available for play. Garahi teaches a wagering interface

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in which an information server is utilized (figure 2, 104, 100, and 102). Coupled to this is a wireless server (116). The use of multiple servers is a well known feature in the art used to reduce the load of a single server, since it is also a well known fact that multiple devices performing a single task performs said task more efficiently and faster than one single device. Furthermore, due to the nature of wireless signals, the wireless server must be in a location in which the devices are in range, else no devices would be able to make any kind of connection, thus the server must be in the gaming area to provide a strong, stable signal.

Brosnan is also silent on the wireless receiver being portable, coupled via a wireless link to wireless servers. Garahi teaches several portable wireless devices that communicate with wireless servers (paragraph [0057], figure 1, 18). Being wireless devices, the devices must communicate via a wireless link. It is inherent that a device that communicates with a wireless server must be able to receive a wireless signal as well, otherwise there would only be one-way communication, and the server would not be able to send a verification signal to the device, confirming connection for security and/or stability purpose, and thus, devices 18 are also wireless receivers.

Thus, it would have been obvious to one skilled in the art at the time the invention was made to utilize the wireless servers of Garahi in order to provide a convenient and wireless method of providing connectivity to players in the area.

5. In re claim 2, Brosnan discloses the at least one wireless server is structured to create a session with the secure wireless receiver, where the session is created when a player inserts a player tracking card that communicated with the game server to execute

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the functions of player tracking (column 19, lines 30-57). In other embodiments, a session is created when a gaming machine needs to be updated (column 20, lines 14-20). Garahi has been discussed regarding the use of a server with Brosnan.

6. In re claim 3, Brosnan discloses the session is limited in duration, as the session lasts only as long as the player plays the gaming machine (column 19, lines 30-57).

7. In re claim 5, Brosnan discloses a system for redeeming tickets comprising:
one or more information servers on a gaming network, the one or more information servers configured to store data related to past play of gaming machines and related to players of the gaming machines, and to generate data for use on the gaming network (column 19, lines 30-58);

data stored on the one or more information servers relating to transactions previously memorialized by a ticket (column 18, lines 47-55).

Please refer to the discussion of claim 1 regarding the wireless server and receiver.

8. In re claim 6, Brosnan discloses a session detector, where the session detector is a card reader used to initiate a gaming session for a player (column 19, lines 30-45).

9. In re claim 7, Brosnan discloses the ticket identifier correctly identifies a previously memorialized transaction (column 18, lines 18-27).

10. In re claim 8, Brosnan discloses the information servers are configured to generate redemption data (column 18, lines 46-55).

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11. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brosnan as applied to claim 2 above, and further in view of Acres et al (US 5,876,284).

12. In re claim 4, Brosnan has been discussed above, but is silent on establishing a session only during certain time periods. Acres teaches a bonus pool that is implemented during a particular time period (column 37, lines 43-56), where a bonus server operates said bonus pool. It would have been obvious to one skilled in the art at the time the invention was made to implement the bonus pool at a particular period as disclosed by Acres in the machine of Brosnan in order to give the casino additional control over bonusing conditions.

13. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brosnan in view of Garahi as applied to claim 8 above, and further in view of Stern (US 6,110,044).

Brosnan and Garahi have been discussed above, but are silent on the redemption data including the date and time a ticket was redeemed. Stern teaches a ticket redemption system in which the date and time of a ticket's creation is printed on the ticket (figure 2). Furthermore, upon redemption, a record is stored containing data relating to it, including the date and time of redemption (column 9, lines 5-17). It would have been obvious to one skilled in the art at the time the invention was made to utilize the date and time system of Stern in order to prevent counterfeit duplicates of winning tickets from being redeemed.

Response to Arguments

14. Applicant's arguments filed 7/28/2008 have been fully considered but they are not persuasive. Regarding Brosnan, applicant claims that there is no disclosure that interfaces 52d-52g are wirelessly connected to the network 60. However, it is clearly stated in column 9, starting on line 47. Specifically, starting on line 52, "data may be transmitted through the communication interface 52 using a single network line 57..." This means that all communication interfaces that are shown in figure 1 are the same device type, and are labeled with letters merely to show a plurality of devices. Additionally, there are clearly arrows connecting devices 52d-52g to network 60. While they are not labeled, due to the above disclosure, and the disclosure in column 10 stating that "network lines 57 may use a ... wireless connection scheme," one skilled in the art would be able to identify that all the interfaces are connected wirelessly.

The examiner has already cited several well-known security implementations for wireless communication. Addressing the gaming area, the claimed limitation is broad and open to interpretation. The servers being located in an area in which gaming machines are available for play can be interpreted many ways, due to the lack of specification of the size of an area. Additionally as mentioned earlier, wireless signals have a finite range, the ranges being defined in the wireless standards of 802.11. Due to the wireless implementations described above, the servers must be within range of the wireless devices in order to communicate properly, and thus, are "in an area in which gaming machines are available for play," as it is disclosed that the gaming

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machines of Brosnan are connected to a game server (column 6, lines 22-36), and thus, in range.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN Y. KIM whose telephone number is (571)270-3215. The examiner can normally be reached on Monday-Thursday, alternating Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John M Hotaling II/
Supervisory Patent Examiner, Art Unit 3714

/Kevin Y Kim/
Examiner, Art Unit 3714